

## DECLARATION

I, Kaori Suzuki, c/o KANESAKA & SAKAI, Shuwa Kioicho TBR Building, 7, Kojimachi 5-chome, Chiyoda-ku, Tokyo, Japan, sincerely declare that I am conversant with the English and Japanese languages, that I am the translator of the documents in the English language attached hereto, and that the text of the following page is a true and correct translation of the "RECEIPT IN THE CASE OF ORIGINAL DEPOSIT" of Deposit Accession No. FERM BP-4981 issued on January 25, 1995 by National Institute of Bioscience and Human-Technology, Agency of Industrial Science and Technology, of 1-3, Higashi 1 chome, Tsukuba-shi, Ibaraki-ken, 305 JAPAN, to the best of my knowledge and belief.

Declared and signed in Tokyo, Japan  
this 7th day of December, 2004

  
(Kaori Suzuki)

10/518801

DT09 Rec'd PCT/PTO 16 DEC 2004

(Translation)

## INTERNATIONAL FORM

BUDAPEST TREATY ON THE INTERNATIONAL  
RECOGNITION OF THE DEPOSIT OF MICROORGANISMS  
FOR THE PURPOSES OF PATENT PROCEDURERECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT  
issued pursuant to Rule 7.1 by the  
INTERNATIONAL DEPOSITARY AUTHORITY  
identified at the bottom of this page.

To Depositor: Name - The Calpis Food Industry Co., Ltd.  
Shunsuke INAMORI, Managing Director  
Address - 20-3, Ebisu-Nishi 2-chome, Shibuya-ku, Tokyo 150

<b>I. IDENTIFICATION OF THE MICROORGANISM</b>	
(Identification reference given by Depositor) Lactobacillus acidophilus CL-92	(Deposit Accession Number) FERM BP-4981
<b>II. SCIENTIFIC DESCRIPTION AND/OR PROPOSED TAXONOMIC DESIGNATION</b>	
The microorganism identified under I above was accompanied by: <input checked="" type="checkbox"/> a scientific description <input checked="" type="checkbox"/> a proposed taxonomic designation	
<b>III. RECEIPT AND ACCEPTANCE</b>	
This International Depositary Authority accepts the microorganism identified under I above, which was received by it on March 3, 1994 (date of original deposit).	
<b>IV. RECEIPT OF REQUEST FOR CONVERSION</b>	
The microorganism identified under I above was received by this International Depositary Authority on March 3, 1994 (date of original deposit) and a request to convert the original deposit to a deposit under the Budapest Treaty was received by it on January 25, 1995. (converted from FERM P-14205 originally deposited on March 3, 1994.)	
<b>V. INTERNATIONAL DEPOSITARY AUTHORITY:</b>	
Name - National Institute of Bioscience and Human-Technology Agency of Industrial Science and Technology Osamu SUZUKI, Dr., Director General  Address - 1-3, Higashi 1 chome, Tsukuba-shi, Ibaraki-ken, 305 JAPAN (SEAL)	
Dated January 25, 1995	



特許手続上の微生物の寄託の国際的承認  
に関するブダペスト条約

BUDAPEST TREATY ON THE INTERNATIONAL  
RECOGNITION OF THE DEPOSIT OF  
MICROORGANISMS FOR THE PURPOSES OF  
PATENT PROCEDURE

RECEIPT IN THE CASE OF AN ORIGINAL  
DEPOSIT

下記国際寄託当局によって規則7.1に従い  
発行される

issued pursuant to Rule 7.1 by the  
INTERNATIONAL DEPOSITARY AUTHORITY  
identified at the bottom of this  
page.

### 原寄託についての受託証

氏名 (名称) カルピス食品工業株式会社  
代表取締役 稲森 俊介  
寄託者 あて名 ① 150 殿  
東京都渋谷区恵比寿西2-20-3

I. 微生物の表示	
(寄託者が付した識別のための表示) ラクトバチルス・アシドフィルス CL-92 ( <i>Lactobacillus acidophilus</i> )	(受託番号) FERM BP- 4981
II. 科学的性質及び分類学上の位置	
I 欄の微生物には、次の事項を記載した文書が添付されていた。 <input checked="" type="checkbox"/> 科学的性質 <input checked="" type="checkbox"/> 分類学上の位置	
III. 受領及び受託	
本国際寄託当局は、平成 6年 3月 3日 (原寄託日) に受領した I 欄の微生物を受託する。	
IV. 移管請求の受領	
本国際寄託当局は、平成 6年 3月 3日 (原寄託日) に I 欄の微生物を受領した。 そして、平成 7年 1月 25日に原寄託よりブダペスト条約に基づく寄託への移管請求を受領した。 (平成 6年 3月 3日に寄託された微工研菌寄第 P- 14205 号より移管)	
V. 国際寄託当局	
通商産業省工業技術院生命工学工業技術研究所 National Institute of Bioscience and Human-Technology 名称: Agency of Industrial Science and Technology 所長 鈴木 修 Osamu Suzuki, Dr. , DIRECTOR GENERAL. あて名: 日本国茨城県つくば市東1丁目1番3号 (郵便番号 305) 1-3, Higashi 1 chome Tsukuba-shi Ibaraki-ken 305, JAPAN 平成 7年 (1995) 1月 25日	